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# **PLANNING AND DEVELOPMENT APPROVAL ACTIVITY**

## **Background Report to the Commission on Planning and Development Reform in Ontario**

July 1992


**LEHMAN**  
**& Associates**



**PLANNING AND DEVELOPMENT  
APPROVAL ACTIVITY**

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Development Reform  
in Ontario**

**Prepared by:  
Lehman & Associates  
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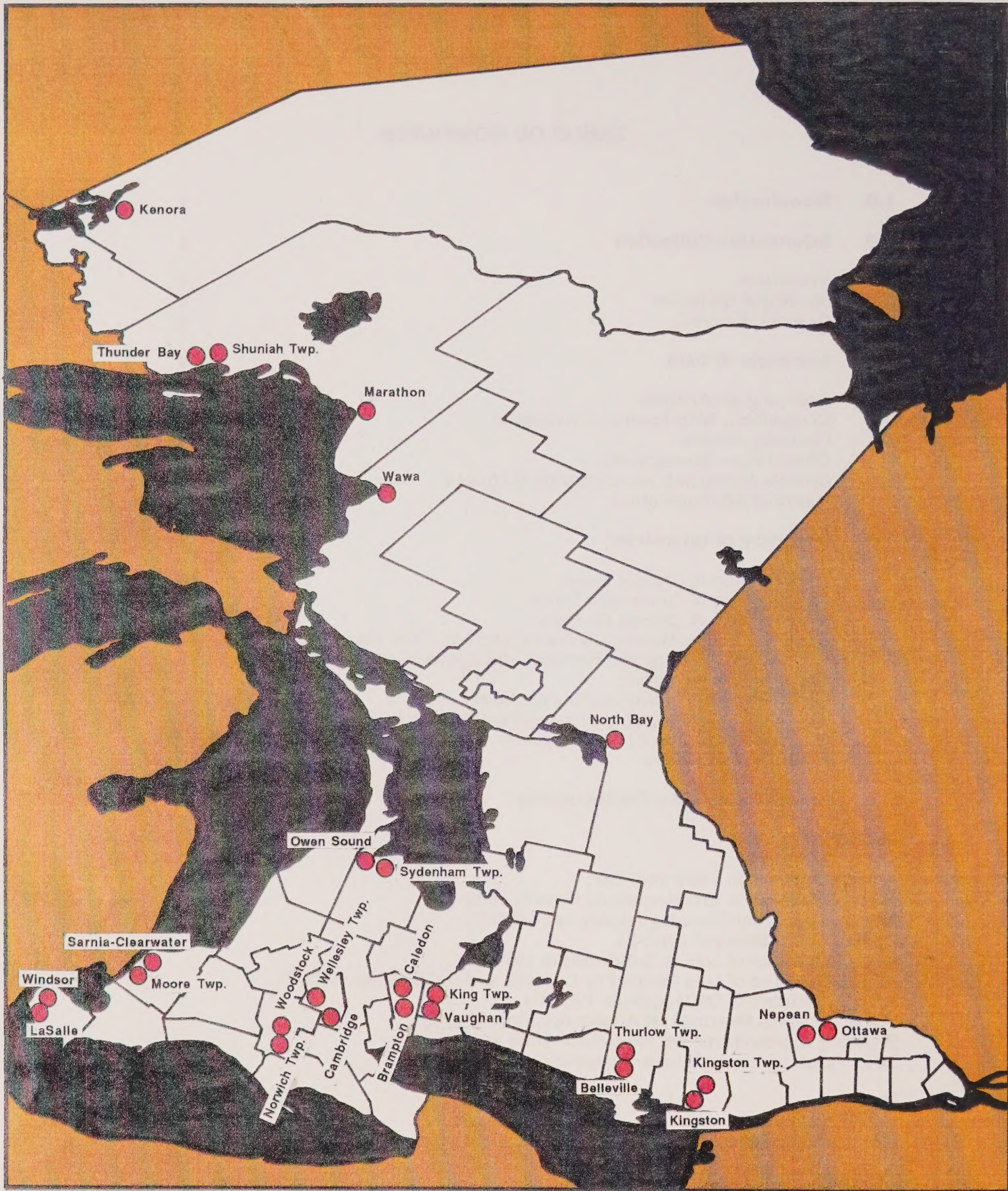
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MAP 1: Selected Municipalities



## **1.0 INTRODUCTION**

The Commission on Planning and Development Reform in Ontario requested Lehman & Associates to collect information on selected aspects of the planning process from municipal planning officials across Ontario. The purpose was to canvas opinion and collect new statistical data about planning and development approval procedures, activity and issues from a broad cross-section of municipalities.

The Commission selected 26 municipalities that were considered to be generally representative, in terms of location, size and circumstances, of all the municipalities in the Province. The varying circumstances included factors such as rate of growth, type of development and planning approvals hierarchy (County, Regional, or delegated local). Map 1 identifies the municipalities and their locations.

The purpose of this Report is to:

- Describe the information collection process;
- Summarize the findings; and,
- Make some observations about the findings.

## **2.0 INFORMATION COLLECTION**

Opinion information and statistical data were collected in three ways. Interviews were conducted with individuals involved in the planning process on behalf of the selected 26 municipalities. Specific statistical data with respect to planning and development activity over the past decade was also requested and obtained from the majority of those municipalities. More general statistics, available from the Ministries of Housing and Municipal Affairs, and the Law Society of Upper Canada, regarding the volume and nature of planning applications and Ontario Municipal Board hearings, were also reviewed.

### **Interviews**

The interviews were conducted with Planning Commissioners, Directors, Administrators and/or others involved in the planning process at the municipal, County or Regional level. Interviews with these planning officials

involved questions related to five main topic areas, as follows:

- The nature of the local planning documents;
- Servicing and infrastructure issues;
- Planning Department administration;
- The planning and approvals process; and,
- The role of the local development industry.

General questions about each of these topics were provided to the municipalities in advance of the interviews. In order to ensure a consistent level of detail in the responses, the interviewers used a form with more detailed questions. This was particularly important as there were four individuals who conducted the interviews to meet the Commission's time frame. The interviews were highly structured, comprehensive and took three to four hours to complete. In general, the interviewers were well received and many relevant opinions and ideas were expressed and recorded.

### **Municipal Statistics**

The 26 selected municipalities were also requested to collect a wide range of statistical data which was intended to provide information on planning and development activity over the past ten years. The statistical data requested included the following:

- The annual number, nature and status of Official Plan Amendments;
- The annual number, nature and status of Zoning By-Law Amendments;
- The annual number and status of lots created/proposed by Plan of Subdivision/Condominium;
- The annual number and status of lots created/proposed by Consent;
- The annual number of Building Permits issued;
- The annual number of new dwelling units constructed;
- The annual Planning Department budget; and,
- The size of the municipal Planning Department.

Many comments were made on the difficulty of obtaining the detailed statistics over the requested time period. While the



resulting data is not complete, and in some cases consists of estimates only, it is considered to be representative of general trends with respect to planning activity over the past decade.

Section 3 of this Report, Summary of Data, documents the analysis of the municipal statistical data. The data revealed a variety of relevant and interesting trends, including some information that has never before been compiled. Appendix A includes the detailed statistics collected by topic area and municipality.

### **General Sources**

A variety of other information sources were examined in order to provide a broader statistical overview. These sources included the Ministry of Municipal Affairs, the Ministry of Housing and the Law Society of Upper Canada.

With the assistance of Ministry of Municipal Affairs staff, printouts from the Ministry's Plans Administration computer system, regarding the nature and approval status of Official Plan Amendments, Secondary Plans and Plans of Subdivision were requested and obtained. However, this information was only available for those municipalities for which the Ministry administers an approval function. In some cases, the information was unavailable for the entire time period as the approval function had been delegated. In these cases, the information was too inconsistent to be useful.

Municipal Housing Statements for some of the 26 selected municipalities were made available through the Ministries of Municipal Affairs and Housing. It was found that a number of the municipalities had not yet prepared or adopted a Municipal Housing Statement. It was anticipated that the Municipal Housing Statements would provide an approximation of the number of lots/units that would be available based on the amount of land designated in each municipality over the next ten to twenty years. In examining this information, it was found that the data varied considerably and was relatively inconclusive.

Information concerning the number and types of Ontario Municipal Board hearings, by municipality, over the past ten years was collected from the Law Society of Upper Canada. This information, which is included in Section 3, allowed a comparison of the quantity and type of appeals associated with the broad range of municipalities.

### **3.0 SUMMARY OF DATA**

#### **Grouping for Analysis**

The 26 municipalities were separated into four groups for purposes of analyzing the statistical data. The groups included municipalities within both single and two tier approval systems. The grouping was intended to recognize some significant differences in size, circumstance and rate of growth that affect planning activity. The groups and their characteristics are as follows:

##### **■ Group A: Stable Cities**

- Range in size from 20,000 to 300,000 persons with the majority in the 50,000 to 100,000 range
- Little population growth
- Consists of larger, stable urban municipalities usually acting as the centre of a large region which includes a number of smaller urban municipalities and rural townships.

##### **■ Group B: Rapidly Growing Municipalities**

- Primarily newer urban municipalities and some rural townships adjacent to larger, established cities
- Range in size from 30,000 to 100,000
- Experienced rapid growth, between 20 and 190 percent (50 percent average), between 1982 and 1991.

##### **■ Group C: Rural Fringe Townships**

- Located on the fringe of larger established municipalities (Group A Cities)
- Experiencing low to moderate growth rates, 3 to 22 percent
- Generally fewer than 15,000 population.

##### **■ Group D: Northern Ontario**

- Northern Ontario municipalities with wide ranges of population and growth rates.

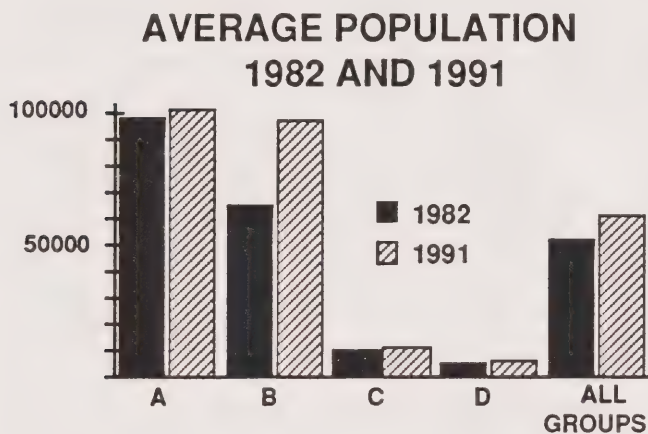
The characteristics of the groups are described in the following charts.



## Comparison With Provincial Averages

The twenty-six municipalities are considered reasonably representative of the range of demographic trends in all Provincial municipalities over the past 10 years. The four groups are also considered relatively representative of municipalities with similar location, population and growth characteristics.

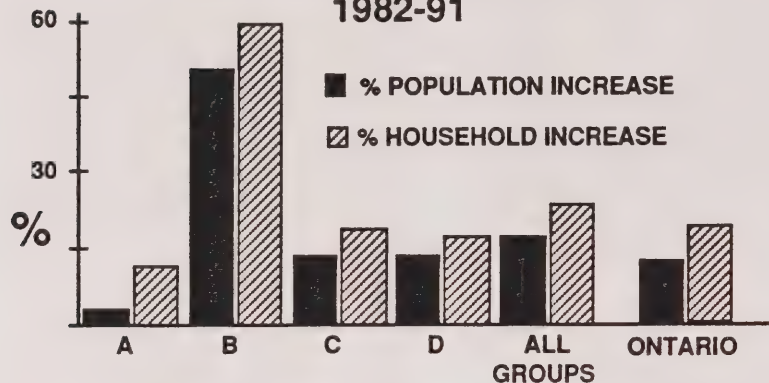
The municipalities sampled have a total population of 1,566,914 which is 16.3% of the population of Ontario. In 1982 the same municipalities included 15.6% of the Province's population. The average growth rate of the twenty six municipalities over the 1982 to 1991 period was 16.9%. Over the same period the Province of Ontario grew by 11.9%.



Whether or not the population grew, the household size decreased in all the municipalities sampled, resulting in a demand for new housing units. The average household size of the sample municipalities in 1982 was 2.69, and this decreased to 2.55 persons by 1990. The Provincial average household size in 1990 was 2.46 persons.

The following chart describes the changes in household size and population for the four groups, the sample as a whole, and the Province, over the 1982 to 1991 period.

## AVERAGE POPULATION AND HOUSEHOLD GROWTH 1982-91



### Planning Activity

The amount of planning activity was measured in terms of the number of applications made for Official Plan Amendments, Zoning By-law changes, consents to sever, subdivisions, condominiums, and in some cases, minor variances. The percentage of applications approved was calculated as were various measures related to lot creation.

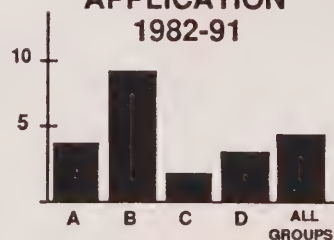
**There are significant differences in planning activity.**

In general terms there are significant differences in planning activity between the groups, probably related to the rate and types of growth and the structure of planning documents. It was also found that the unique circumstances of northern Ontario make comparisons with southern Ontario municipalities difficult.

### *Dwelling Units Per Application*

The average number of new dwelling units created per application was found to be a relatively good measure of the proportion of greenfield development in a municipality. In Group A the number of new dwellings per application averaged 4.3. This is indicative of limited greenfield development and more small scale development and/or redevelopment proposals.

## NEW DWELLINGS PER PLANNING APPLICATION 1982-91





In Group B the average number of lots created per application was 9.8 with a much broader range within the group. These higher figures likely reflect a wider range of circumstance, much higher growth rates and more comprehensive and larger scale greenfield developments.

In Group C, the numbers were similar to, but lower than Group A and, again, relatively consistent. The average number of lots created per application was 2.9. This average reflects a higher proportion of development by consent as well as a relatively lower demand for lots and/or a large inventory of existing undeveloped lots.

In Group D, the numbers and trends were very similar to Group C, with some anomalies due to economic circumstances.

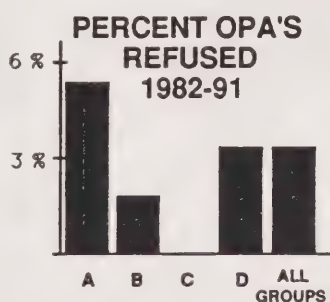
### Official Plan Amendments

The analysis reviewed the number of Official Plan Amendments (OPA's) including those refused by the Minister and/or denied by the municipalities. In general very few OPAs were refused by the Minister in all groups. Among all sampled municipalities only 3.2% of all OPA's were refused by the Minister over the 1982 to 1991 period. Possible reasons

for this low rate include the resolution of issues through the precirculation process and the practice of the Ministry of Municipal Affairs to defer unresolved issues or refer them to the O.M.B.

Rates of denial by municipalities of applications for OPA's were significantly higher and much more variable among the sample group. The average number of applications for OPA's denied among all the municipalities was 13.1%. This figure ranged from 0% in the majority of the rural townships to 50% in King Township, where policies do not permit scattered rural residential development.

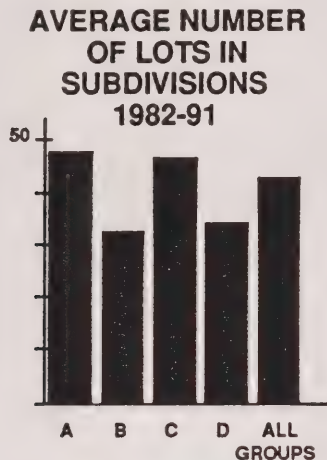
Perhaps more significant is the fact that close to 87% of all applications for OPA applications to municipalities were approved and that only 3% of these were refused by the Minister. Clearly many of the Official Plans involved either provided little planning guidance and/or were used primarily as development control documents.



**Very few Official Plan Amendments were refused outright by the Minister of Municipal Affairs.**

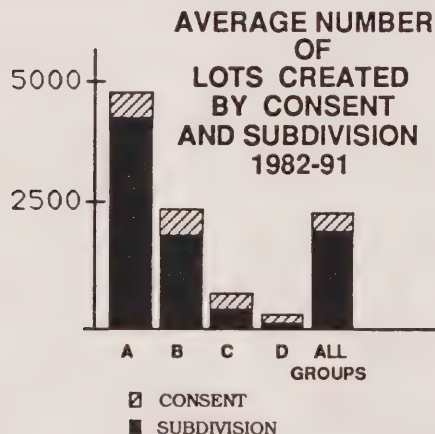
### *Average Size of Subdivision*

There was a general consistency among the results of this analysis. The average number of lots in approved subdivisions in all municipalities was 42 which ranged from 10 lots per subdivision in King Township to 102 lots per subdivision in Moore Township. However, the majority of the municipal averages were in the range of 25 to 75 lots per subdivision.



### *New Lots Created by Consent and Subdivision*

The proportion of lots created by consent is significantly higher in the more rural municipalities. For example, in Groups A and B about 10% of new lots were created by consent. However, in Group C, consisting of primarily rural townships, approximately 42% of lots were created by the consent process.

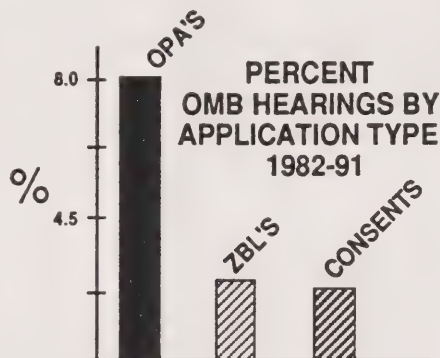




The proportion of lots created by consent on municipal piped services reflects a similar trend. In Groups A and B 9% of the lots created by consent were not connected to municipal piped services whereas in Group C the figure was 90%.

### Ontario Municipal Board Hearing Statistics

The analysis of the incidence of hearings before the OMB revealed some surprising results. Of the over 17,000 applications for OPA's, rezonings, consents/minor variances made between 1982 and 1991 to the 16 municipalities which provided the necessary information, 399 or 2.3% resulted in an Ontario Municipal Board hearing. Hearings were required for 8.2% of all OPA applications, 2.2% of rezoning applications and 2.0% of consent/minor variance applications.



**Only 2.3% of all applications resulted in O.M.B. Hearings.**

The percentage of OPA's requiring Board hearings was very consistent among the Groups. Not including Group D, northern Ontario, where there were both few applications and few hearings, the percentage of OPA's requiring hearings ranged from 6.9% in Group A to 14.2% in Group C.

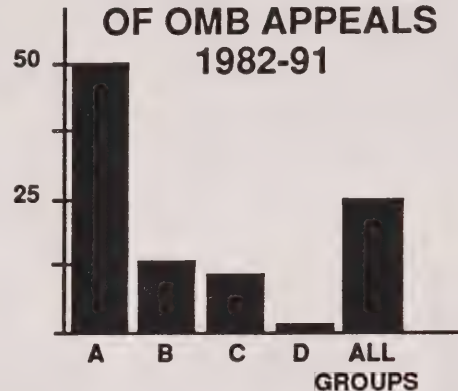
The percentage of Zoning By-laws (ZBL's) appealed is significantly lower than the OPA rate. The percentage ranges from 1.8% in Group A, stable cities, to 4.3% in Group B, fast growing municipalities. Given that most OPA's have a concurrent ZBL appeal, there are likely very few ZBL's that conform to Official Plans that are appealed to the OMB. In the municipalities sampled there were 191 OPA referrals and 172 zoning appeals that resulted in a hearing.

### Total Appeals by Group

There is a significant range of percentages of appeals within groups, particularly for OPA's, likely as a result of the format of the Official Plan or the municipality's growth rate. Generally while appeals were more likely in Group B, there were a number of municipalities, with no apparent common characteristics, where the rate of OMB

appeals was significantly higher. This may be as a result of long-standing and unresolved issues, a more aware and involved public or the practice of some municipal Councils of relying on the OMB to make difficult decisions.

**AVERAGE NUMBER  
OF OMB APPEALS  
1982-91**



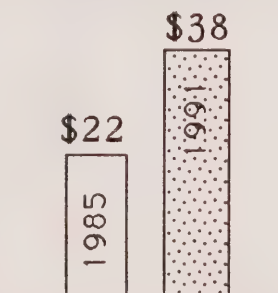
### Planning Administration

The planning budgets and numbers of professional planners on staff in 1985 and 1991 were compared against the number of households for the same years in the sample municipalities. This information was collected to determine to what degree planning was receiving more or less of a financial priority. All dollar figures were adjusted to 1991 dollars to make the comparisons relevant.

**Average planning  
expenditures have  
increased 72% in  
constant dollars since  
1982.**

The average budget per household increased from \$22. in 1985 to \$38. in 1991. The number of households per planner similarly decreased from 3,336 in 1985 to 2,667 in 1991. This represents a constant dollar increase in planning department budgets of 70% and a households to staff ratio increase of 25%.

**PLANNING  
EXPENDITURES  
PER  
HOUSEHOLD  
1985 AND 1991**



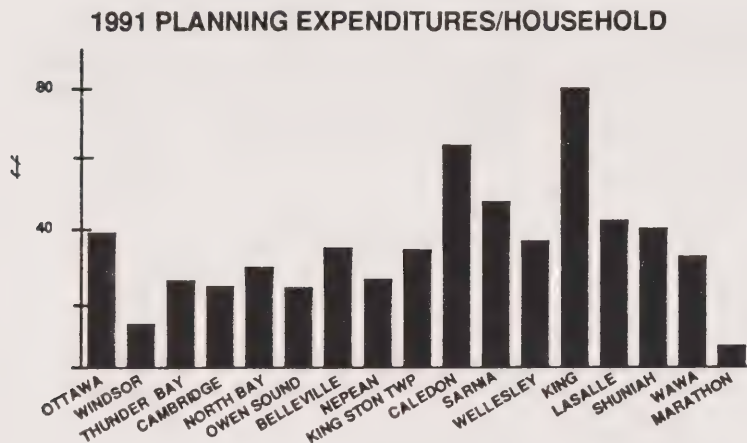
FIGURES IN 1991 DOLLARS

The general conclusion is that more money is being spent on planning departments in 1991 and that the increased budgets are reflected by the decrease in the number of households served per planner in the sample municipalities. The



increases are both relatively substantial given the short time period and remarkably consistent among the sample group.

The figures and ratios deal only with expenditures and do not take into account varying levels of revenue from application fees or other non-tax based sources. In addition, the expenditures per household do not reflect the actual cost per household as a significant portion of revenues in many municipalities comes from non-residential assessment.



#### 4.0. SUMMARY OF INTERVIEWS

This section of the report summarizes the information and opinions given at the interviews with planning staff. The various opinions offered and information received is grouped into broad subject headings.

##### The Function of Official Plans

1. *There is a large variation across the Province in the content and level of detail in Official Plan documents. There currently exists a wide variety of interpretation as to what is to be appropriately included within an Official Plan, and, more importantly, there is a wide variety of opinion about the perceived function of an Official Plan.*
2. *Official Plans have, in many cases, been written and structured to accommodate a process that works well in each separate and individual municipal circumstance. In larger municipalities this is at least in part the result of having senior staff who have worked with the planning process and documents in the same municipality for ten to twenty years.*
3. *There were many comments made regarding the need to further clarify the content and purpose of Official Plans and Secondary Plans. While most thought that this clarification should be included in the Planning Act, several others thought that legislated requirements would be too restrictive and that guidelines dealing with the issue would be sufficient.*
4. *Municipalities with high growth rates generally thought that Official Plans could or should be more specific to avoid or prevent numerous ad hoc changes. Municipalities with modest or no growth felt that Official Plans should be more flexible to allow reasonable change without the need for time-consuming amendments. It was suggested that since the Official Plan reflects the market and economic conditions in existence when it is drafted, major changes to these conditions mean that the Plan quickly becomes out-of-date.*
5. *There were marked differences of opinion between rural and urban municipalities about the content and purpose of Official Plans. There was generally a greater desire for flexibility to be built into Official Plans in rural and cottage areas than in urban*

**There is a large variation in the context and form of Official Plans.**

**The need for flexibility in the Official Plan was noted in rural and slow growth municipalities.**



municipalities. In rural and cottage areas the Official Plan serves primarily as a development control document as very limited change is usually anticipated and often the changes likely to occur cannot be shown on a map. In urban areas the lands designated for development are more easily and specifically defined, usually corresponding to areas that can be provided with piped services.

6. *The inclusion of Ministry and agency policies in Official Plans makes Official Plans less readable, more cumbersome to administer and less relevant to local issues.* The Official Plan is used by agencies and Ministries as a vehicle to ensure municipal compliance to Ministry policy by incorporating policies based on authority found in other statutes in a municipally prepared and Provincially approved document.
7. *Generally, the longer the same Official Plan has been in place, the more likely it is to be used as a development control document.* In some municipalities the approach is to never undertake a comprehensive review of the Official Plan, only specific policy areas, when required. This has meant that the function of an Official Plan as a long term guide to growth and development patterns is weakened or, in some cases, lost. As a consequence, part of this function is being replaced by Strategic Plans that are prepared and implemented outside the planning process as defined by the Planning Act.
8. *Many municipalities are looking for vehicles other than Official Plans to express their long range goals.* The lengthy approval process, the limitations of content and the level of Provincial involvement is not conducive to the preparation of a flexible document, prepared by consensus and relevant to local issues.

#### **The Function of Secondary Plans**

9. *Findings indicate a wide divergence in the purpose of Secondary Plans, their content and the process of approval.* In some instances Secondary Plans are developed as Official Plan Amendments. Others receive only administrative and political approval at the municipal level. Secondary Plans are used in two very different contexts: as a traditional land use plan and/or as a product and focus of negotiations among the municipality, developers and the public. There were some suggestions that Secondary Plans should be recognized and regulated to a greater extent by the Planning Act. In those municipalities where Secondary Plans are only approved by Council, it

**Secondary Plans serve different purposes in different situations.**

was felt that their system worked well and the current statutory context should not be changed.

10. *While most municipalities have been dealing with greenfield areas over the past decade, it is anticipated that more priority will be given to plans for redevelopment and intensification of existing communities as growth rates slow, a more compact urban form is desired and neighbourhoods age. It was suggested that this will change the process and form of Secondary Plans/Neighbourhood Plans as there will be an active constituency of residents involved in the planning process rather than only developers and large land owners.*

### **The Function of Zoning By-laws**

11. *The function, content and level of detail of a Zoning By-law are similar throughout the Province. It is generally accepted that zoning is a development control tool and represents local development law. Use of zoning was found to be relatively consistent.*

### **The Relationship between Servicing and Land Use Planning**

12. *The relationship between servicing and land use planning is not always well defined at the local level.*
13. *Where servicing constraints exist, the sewage and/or water capacity allocation process controls and directs the planning process. Over time, changes to the standards for calculating use and flow, generally as a result of monitoring actual situations, have resulted in changes to capacities within systems that, in turn have prompted changes in the planning documents in order to use the new found capacity. This has usually led to the designation of additional lands for development.*
14. *Many municipalities raised the concern that in certain circumstances developers will gain a servicing capacity allocation immediately following planning approval, but will not build the development for many years, thereby effectively tying up servicing capacity. One municipality, to relieve the problem, requires the payment of 50 percent of the lot levies before signing a servicing agreement.*
15. *Some municipalities are anticipating problems in implementing major intensification initiatives because of servicing constraints, due to limitations in both overall treatment or supply capacity and existing pipes in the ground. In many instances, Official Plan population projections and subsequent land use*

**The relationship between the allocation of servicing capacity and the planning approvals process is often poorly defined.**



designations have been explicitly and exactly tied to maximum servicing capacities at the outset of the planning process.

### **The Factors Affecting the Planning and Approvals Process**

16. *A major area of dissatisfaction with the Provincial planning and approval process is the length of time to gain Ministerial approval. There is no understanding of why Ministerial approval takes so long. In addition, there was great concern over the Ministry of Municipal Affairs refusal to enforce deadlines from commenting agencies. It was mentioned that the only deadlines enforced by the Ministry are those that apply to municipalities. The current perception is that little or no priority is placed on time and efficiency at the Provincial level.*
17. *The perceived purpose and value of precirculation of planning documents is that all the issues are identified and dealt with early in the process so that the overall approval time is reduced. While the concept of precirculation is generally considered to be an acceptable approach to preparing planning documents by consensus, experience has shown that precirculation can and often does result in a process that takes twice as long with no perceived improvement to the results. It was suggested that this occurs because the Ministry of Municipal Affairs does not reduce the circulation time or number of agencies involved in recognition that precirculation has occurred and/or other agencies, such as the Ministry of the Environment, will not participate in the precirculation process.*
18. *According to the municipal planners interviewed, the most significant factors influencing the length of the local approvals process are the completeness of the development application and the necessary supporting information, community input and conflict resolution; and, agency comments (particularly the Ministry of the Environment).*
19. *In general approval times at the local level are between 4 to 6 months for Official Plan Amendments, Zoning By-law Amendments and Subdivisions. Site Plan approval requires an average of 4 to 6 weeks.*

### **The Role of the Province**

20. *A significant concern expressed by many of those interviewed related to the conflicting mandates of various ministries and the lack of a method of assigning priority to these various interests. There were many*

**A major area of dissatisfaction with the Provincial planning and approval process is the length of time to gain Ministerial approval.**

comments suggesting the need for a process to mediate these conflicts in a timely manner. The problem for the municipal planner is the absence of Provincial direction when ministry mandates conflict. Not only do Provincial policies and interests sometimes conflict with each other in general, they also often tend to conflict with local goals and/or specific circumstances.

21. *It was suggested that the Ministry of Municipal Affairs should act as the facilitator as well as the administrator of the process.* There was a widespread belief that the Ministry of Municipal Affairs needed to take a more active role in the approvals process.
22. *A common concern was expressed that the Province was attempting to react to problems only relevant in the Toronto area by applying the same broad policy solutions universally throughout the Province.* This was mentioned most frequently with respect to the Land Use Planning for Housing Policy Statement.
23. *A common concern is that the Province establishes a Provincial interest that can only be implemented by local municipalities in their Official Plan and approval decisions.* Some municipalities were willing to cooperate with the Province in implementing broad policies if the issue was relevant locally and if the implementation requirements were clearly identified. However, in the majority of cases, the Ministry of Municipal Affairs is perceived to be unaware of how the Provincial interest was to be implemented and administered.
24. *The perception in many municipalities is that the Ministry of Municipal Affairs is not appropriately equipped to deal with local issues.* Common problems mentioned were:
  - The centralization of the Ministry offices and approval function in Toronto;
  - The constant turnover of staff and their geographic responsibilities; and,
  - The lack of relevant local involvement and experience of planning staff.
25. *The Ministry of Municipal Affairs staff has little credibility among municipal staff. This perception tends to make the approval process more adversarial than cooperative.* The problems of staff turnover and the centralization of the approval function in Toronto have been present for a number of years but are

**A common concern is that the Province establishes a Provincial interest that can only be implemented by local municipalities in their Official Plan and approval decisions.**



perceived to have become greater in the last three to four years. The opinion was often expressed that Ministry staff are out of touch, unaware of the facts and therefore not qualified to comment on local planning issues.

#### **The Role of the Ontario Municipal Board**

26. *There was general satisfaction with the role and responsibilities of the Ontario Municipal Board. The only identified problems with the Ontario Municipal Board were the length of time from the original appeal to the rendering of a decision, the lack of use of the Board's discretion to deem a hearing frivolous and the variation in notification and appeal procedures.*

**There was general satisfaction with the role and responsibilities of the Ontario Municipal Board.**

#### **The Role of the Municipal Planner/Planning Department**

27. *As a result of the changes to the Planning Act in 1983 and in response to the increased pressures for growth of the late 1980s, political committee structures were changed to deal with more public involvement and a higher volume of applications.*
28. *Over the past decade, local politicians and the general public have generally become more sophisticated in dealing with planning issues and the planning process. As a consequence planning has become a more visible and accepted municipal function. The planning function has also become more important because of a heightened awareness of environmental issues among the public and politicians.*
29. *The issues dealt with by planning departments have broadened which has resulted in an increased demand for more sophisticated and detailed information from both the public and politicians.*
30. *While the planner is seen as both the formulator of policy and the facilitator of the planning process, the priority given to these two roles varies significantly. As a result of the development boom of the late 1980s, staff in many planning departments were required to concentrate primarily on processing applications rather than on long-range policy work. In some larger municipalities the planning department has the facilitation of a public/developer consensus process as its primary role. In smaller municipalities outside the Toronto area, the municipal planner or planning administrator is viewed as the facilitator of development and an advocate of municipal policy. In many instances, the planner faces a great deal of pressure to agree*

**The issues dealt with by planning departments have broadened which has resulted in increased demand for more sophisticated and detailed information from both the public and politicians.**

with Council desires even when they conflict with the planners professional opinion and Official Plan policies.

31. *The role and availability of planning reports is variable.* Reports are generally available and/or presented at the formal public meeting. In a few cases, planning reports are available before the public meeting. In a number of municipalities, planning reports are prepared only after the public meeting. In these cases, objective planning advice is not available to the public to assist them in forming an opinion.
32. *In larger municipalities the need for objective, professional planning advice is understood by Councils.* In the larger municipalities surveyed the municipal Councils disagreed with planning department recommendations about 5 percent of the time. However, in some smaller municipalities, it is often more difficult to separate the politics from planning.

#### **The Role of the Development Industry**

33. *Comments about the development industry were generally positive.* There were very few opinions offered that suggested any negative impact on the planning process or product as a result of the concentration of the development industry. The domination of the local development market by single firms (or a very few firms) was noted as an issue in only 3 of the 26 municipalities. In these three situations a single developer controlled what was considered to be so much of the market that planning considerations were sometimes ignored in Council decisions.
34. *Planning department staff indicated that experienced developers are expected to do a better job in preparing the necessary documentation.* The consensus was that larger development companies tend to submit better researched, more comprehensive and more suitable proposals. Small first time developers are generally treated with extra patience until they become more familiar with their role and responsibilities. In some smaller municipalities it was noted that local developers may be given priority over outside firms by municipal Councils.
35. *The development industry's experience and knowledge are an important contribution to the planning process in terms of feasibility and product.* However those interviewed indicated that the development industry has no role in determining long-term municipal

**Planning department staff  
Indicated that  
experienced developers  
are expected to do a  
better job in preparing  
the necessary  
documentation.**



policy, other than involvement as land owners and/or members of the public.

36. *There have been various changes in the number and type of development companies over the past decade but no specific trends were noted other than a tendency for greater vertical integration as many builders have also become developers. In some municipalities, particularly those in Group B, development companies have become much larger than ten years ago. However, in as many others such as those in Groups A and C, the development companies have become smaller, but they are more numerous.*
37. *The development industry is not considered to exert any significant control over the market price of housing. Mitigating factors mentioned were:*
- In rural areas, the land component of housing costs is generally less expensive;
  - In urban areas there tend to be many other choices (i.e. the resale market or products from other companies); and,
  - The development of non-profit housing provides alternatives.

#### **The Role of the Public**

38. *There is a strong commitment to public participation in the planning process at the local level. In many municipalities the opportunities provided for public participation go beyond the requirements of the Planning Act. As a consequence, members of the public and ratepayers groups exert a significant level of influence within the planning and approvals process.*
39. *Despite the general agreement about the benefits of public participation, there is a wide diversity throughout the Province with respect to the actual means by which the public can become involved in the local planning process.*
40. *There is little consistency across the Province as to if, when and how public meetings are held. While in the majority of cases a public meeting is always held, there are some municipalities where public meetings are held only if a staff and/or political committee has made a positive recommendation to Council.*

**There is little consistency across the Province as to if, when and how public meetings are held.**

## **5.0 OBSERVATIONS FROM THE INTERVIEWS**

The observations noted in this Report are drawn from the opinions of those persons interviewed. The majority of those interviewed have been involved in the business of municipal planning for at least a decade. Most of the Planning Department Commissioners and Directors have twenty or more years experience. As a result of this experience, both in terms of familiarity with the local circumstances and with the process of planning in Ontario, the profession has matured. Despite the individual differences in process and planning departments and the great range of personal experience, training and circumstance, there is a surprisingly consistent view of the problems with and changes required to the planning process in Ontario among those interviewed.

The most significant observations of this Study are:

- **Current problems, perceived or otherwise, are primarily related to the administration of the approval process at the Provincial level.**
- **The existing legislative framework is considered adequate, with some need for fine tuning, to provide for appropriate municipal planning across the Province.**

Other, more specific observations are listed below.

1. ***The Provincial role in local planning is too prescriptive and poorly defined.***

The reorganization of the Ministry of Municipal Affairs planning responsibilities in 1989 has resulted in significantly less hands on involvement and physical representation of Provincial planners at the local level. This has led to a high degree of what is perceived to be prescriptive interference by the Ministry in local planning initiatives, instead of cooperation and support. As a consequence, there has been a decrease in the credibility of Provincial planning staff at the local level.

Generally, the Ministry of Municipal Affairs is perceived as an impediment to local planning and development. There was a common opinion that the Province should have a much more limited and better defined role in local planning. A frequent suggestion was that Provincial involvement in local

**Current problems, perceived or otherwise, are primarily related to the administration of the approval process at the Provincial level.**

**The existing legislative framework is considered adequate, with some need for fine tuning, to provide for appropriate municipal planning across the Province.**

planning without specific relation to a formal Policy Statement, or a clearly defined Provincial interest is not appropriate.

**2. *The lack of an appropriate mechanism to mediate conflicting Provincial interests has led to planning decisions based on compromise rather than merit.***

There was a significant level of concern regarding how Provincial Policy Statements are formulated and how Provincial interests are defined. The major problem identified was the lack of a method of assigning priority to the various interests when they are in conflict in local situations. As a result, approval decisions are often based on a compromise between interests instead of decisions based on sound planning principles. There were many suggestions indicating a need to mediate conflicts at the Provincial level in an appropriate and timely manner.

**3. *Administrative problems at the Provincial level influence the length of the planning and approval process.***

It was suggested that the length of time for Provincial review and approval has increased over time, especially in the last three to four years, due to an increased volume of applications, new Provincial mandates (formal or otherwise) and an increase in the number of issues which require attention.

Some of the administrative problems are:

- The Ministry of Municipal Affairs always waits for comments from other agencies, no matter how long it takes;
- Planning staff dealing with municipalities are relatively inexperienced and often unfamiliar with the relevant local issues;
- Frequent staff turnover leads to inconsistency in approach; and,
- Centralization of Ministry staff and the consequent geographic separation makes ongoing communication between the Ministry and municipal staff difficult.

**The lack of an appropriate mechanism to mediate conflicting Provincial interests has led to planning decisions based on compromise rather than merit.**



**4. *The local planning and approval process has improved over the past decade***

The review of planning applications at the municipal level generally takes less time today than it did prior to 1981. This shortened review period is perceived to be as a result of the process becoming more familiar and routine over time, as well as applications being more complete, comprehensive and standardized.

**Local planning procedures and documents work well because they are geared to local circumstances.**

**5. *Local planning procedures and documents work well because they are geared to local circumstances.***

Over time, planning departments have structured planning procedures and written documents to suit local circumstances. As a consequence, municipal planning procedures and documents are considered to work well. Provincial initiatives to standardize procedures and documents often conflict with local planning programs.

**6. *The integration of servicing and planning issues occurs implicitly.***

It is universally recognized that comprehensive planning must be cognizant of a wide variety of issues, including servicing. However, the relationship between servicing and planning decisions varies widely across the Province. The key factor is whether servicing capacity is a scarce or an abundant resource.

In areas where the demand for development exceeds the servicing capacity, questions of land use and servicing are considered at least on an equal basis, but in some instances, servicing issues direct the land use planning process. In areas where development demand is less than available servicing capacity, servicing is considered a minor implementation issue. Generally, there seems to be no need for legislated integration of the approval process and servicing requirements because they are already integrated functionally and administratively.

**7. *The activities of the development industry are generally considered an appropriate and necessary component of the planning and approval process.***

It is perceived that the quality of development has improved over time because developers are becoming

more sensitive to market conditions and the requirements of the planning process. Very few comments were received that indicated that the development industry had any negative influence on the integrity of the planning process.

The development industry, as an integral part of the planning process, does influence Council decisions. The length and complexity of the process sometimes results in developers lobbying Council directly in order to speed up the process. It is felt, however, that any impact exerted by the development industry on a municipal Council is more than offset by the influence of neighbourhood and/or ratepayers groups.

**8. *Local politicians and the public have become more sophisticated in dealing with planning issues over the past decade.***

Over the past decade planning has become a more visible and accepted municipal function. A heightened awareness of environmental and development issues by both politicians and the general public has increased the visibility and acceptance of planning. As a consequence, local politicians and members of the public have become increasingly more sophisticated in dealing with planning and the approval process. These changes have and will lead to greater expectations for planning to solve problems in the future.

**9. *There is a strong commitment to public participation at the local level.***

As a result of changes to the Planning Act in 1983, the development industry boom of the late 1980's and the increased sophistication of politicians and the public, planning departments have been required to respond to an increased demand for detailed and comprehensive information. This demand has been met, in part, through a strong commitment to public participation in the planning and approval process, with many municipalities instituting participation procedures well in excess of legislated requirements.

**10. *The priority placed on the various planning department functions depends on the level of development activity.***

In areas of the Province that are not subject to heavy pressure for development, planning departments have adequate resources for both policy formulation

**There is a strong  
commitment to public  
participation at the local  
level.**

and development control. In areas with development pressures, the day to day administration of the process becomes a more pressing concern with policy formulation taking on a less important or nonexistent role.

11. ***The planning document with the least Provincial involvement, the Zoning By-Law, has the highest level of consistency of content and application.***

The Zoning By-Law is considered to be the most consistent municipal planning document across the Province. This may be because the Planning Act is more specific with respect to zoning and/or because the concept of law is more readily accepted in our society than the abstract and conceptual framework of an Official Plan. It was suggested by some municipal planners that the Planning Act should be as explicit about the role of Official Plans as it is about Zoning By-Laws.

12. ***There is a limited commitment to Official Plans at the local level.***

Given the municipal desire to avoid the Provincial planning and approval process, there seems to be a corresponding lack of public understanding and a lack of administrative commitment to the Official Plan at the local level. In the majority of cases Official Plans include many policies that are agency requirements found in other statutes. This tends to seriously dilute the municipal purpose of the Official Plan. It also makes it less readable, more cumbersome to administer and less relevant to local issues.

13. ***Municipalities are circumventing the Provincial planning and approvals process to avoid lengthy time delays and unnecessary interference.***

A direct result of the lengthy approval time and the nature of Provincial involvement is the various mechanisms being used by municipalities to circumvent the need for approval by the Minister of Municipal Affairs. These mechanisms include multiple severances instead of subdivision applications and significant minor variances instead of rezonings. Wider range, more comprehensive issues are now being dealt with outside the formal Official Plan process in Strategic Plans and Secondary Plans that are not approved by the Minister.

**Municipalities are circumventing the Provincial planning and approvals process to avoid lengthy time delays and unnecessary interference.**



## **APPENDIX A**

### **Detailed Municipal Statistics**

- Comparison of Groups
- Planning Activity
- OMB Hearing Statistics
- Planning Department Information



# PLANNING DEPARTMENT INFORMATION

	1985 PLANNING BUDGET	1985 BUDGET/HHLD (CONSTANT \$'91)	1991 PLANNING BUDGET	1991 BUDGET PER HHLD(90)	1985-91 CHG. IN BUDGET PER HHLD.	1985 TOTAL PLANNER	1991 TOTAL PLANNER	1985 HSHLD PER PLANNER	1991 HSHLD ('90) PER PLANNER
MUNICIPALITIES	(CONSTANT \$'91)								
OTTAWA	**		5582800	38.55		**	47		3081.06
WINDSOR	821898	14.15	937925	11.89	-15.95%	10	13	7636.90	6068.00
THUNDER BAY	**		1100000	24.51		**	12		3739.33
CAMBRIDGE	420606	20.03	741193	22.83	13.96%	7	11	3942.43	2951.27
NORTH BAY	**		592455	28.31		4	3.5	4646.25	5979.43
OWEN SOUND	94413	15.44	204217	22.63	46.61%	1	3	8039.00	3007.67
WOODSTOCK	**		**	0.00		**	**		
BELLEVILLE	199875	17.47	545085	33.89	93.92%	2	4	7518.00	4021.50
KINGSTON				0.00			8		3464.36
GROUP A TOTAL	1536792	67.09	2428420	91.24		24.00	34.50	31782.58	22027.87
GROUP A AVERAGE	384198.00	16.77	607105.00	22.81	35.99%	4.80	6.90	6356.52	4405.57
NEPEAN	665800	27.14	951145	25.01	-7.84%	7	8	4606.14	4752.88
VAUGHAN	611087	47.25	**	0.00		11	17	1545.55	1764.00
KINGSTON TWP	152070	20.12	453290	33.55	66.74%	2	4	4967.50	3377.75
CALEDON	219656	30.47	726094	64.09	110.30%	3	10	3158.33	1133.00
SARNIA	775527	50.00	1399117	47.47	-5.07%	5	7	4077.40	4210.71
BRAMPTON				0.00					
GROUP B TOTAL	1813053	127.74	3529646	170.12		28	46	18354.9216	15238.34
GROUP B AVERAGE	453263.25	31.94	882411.50	42.53	33.17%	5.60	9.20	3670.98	3047.67
MOORE	**		**	0.00		**	**		
WELLESLEY	18170	11.96	85476	36.16	202.31%	0.5	1	3994.00	2364.00
KING	101075	25.73	480900	80.65	213.45%	2	3	2582.00	1987.67
LASALLE	**		218000	41.75		0	0	0.00	0.00
SYDENHAM	**		**	0.00		**	**		
NORWICH	**		**	0.00		**	**		
THURLOW				0.00					
GROUP C TOTAL	119245	37.69	566376	116.80		2.5	4	6576	4351.67
GROUP C AVERAGE	59622.5	18.84	283188.00	58.40	209.92%	0.83	1.33	2192.00	1450.56
SHUNIAH	17000	11.59	78181	39.29	238.96%	0	1	0.00	1970.00
WAWA	**		55000	31.32		0	1	0.00	1750.00
MARATHON	**		10000	5.71		0	0	0.00	0.00
KENORA				0.00		0	0	0.00	0.00
GROUP D TOTAL	17000	11.59	78181	39.29		0	2	0	3720
GROUP D AVERAGE	17000	11.59	78181	39.29	238.96%	0	0.50	0.00	930.00
TOTAL OF ALL	3486090	244.11	6602623	417.45		54.5	86.5	56713.50	45337.87
AVERAGE OF ALL	316917.27	22.19	600238.45	37.95	71.01%	3.21	5.09	3336.09	2666.93

\*\* Group Totals and Averages based only on Municipalities with complete information



# OMB HEARING STATISTICS

	1982-91 TTL # PLN.	1982-91 TTL # HEARINGS	1982-91 % APPLICAT. HEARINGS	1982-91 OPA'S RECEIVED	1982-91 OPA HEARINGS	1982-91 % OPA'S HEARINGS	1982-91 ZBL'S HEARINGS	1982-91 ZBL HEARINGS	1982-91 % ZBL'S HEARINGS	1982-91 CONSENT APPLIED	1982-91 CONSENT HEARINGS	1982-91 % CONSENT HEARINGS
MUNICIPALITIES		(OP/ZB/CON)										
OTTAWA	5665	263	4.64%	88	9	10.23%	228	26	11.40%	5349	228	4.26%
WINDSOR	1845	18	0.98%	93	8	8.60%	790	8	1.01%	962	2	0.21%
THUNDER BAY	2239	13	0.58%	90	3	3.33%	709	3	0.42%	1440	7	0.49%
NORTH BAY	731	3	0.41%	19	1	5.26%	57	0	0.00%	655	2	0.31%
OWEN SOUND	459	3	0.65%	16	2	12.50%	92	0	0.00%	351	1	0.28%
WOODSTOCK	535	3	0.56%	58	2	3.45%	192	1	0.52%	285	0	0.00%
GROUP A TOTAL	11474	303		364	25		2068	38		9042	240	
GROUP A AVERAGE	1912.33	50.50	2.64%	60.67	4.17	6.87%	344.67	6.33	1.84%	1507.00	40.00	2.65%
NEPEAN	589	14	2.38%	27	3	11.11%	224	11	4.91%	338	0	0.00%
KINGSTON TWP	569	9	1.58%	77	4	5.19%	128	3	2.34%	364	2	0.55%
CALEDON	1838	16	0.87%	229	16	6.98%	159	8	5.03%	1450	0	0.00%
GROUP B TOTAL	2996	39		333	23		511	22		2152	2	
GROUP B AVERAGE	998.67	13.00	1.30%	111	7.67	6.91%	170.33	7.33	4.31%	717.33	0.67	0.09%
MOORE	298	5	1.68%	2	2	100.00%	59	1	1.69%	237	2	0.84%
KING	689	28	4.06%	82	4	4.88%	272	12	4.41%	335	12	3.58%
LASALLE	365	18	4.93%	16	10	62.50%	108	2	1.85%	241	6	2.49%
SYDENHAM	799	0	0.00%	2	0	0.00%	89	0	0.00%	708	0	0.00%
NORWICH	595	3	0.50%	11	0	0.00%	225	0	0.00%	359	3	0.84%
GROUP C TOTAL	2746	54		113	16		753	15		1880	23	
GROUP C AVERAGE	549.20	10.80	1.97%	22.60	3.20	14.16%	150.6	3.00	1.99%	376.00	4.6	1.22%
SHUNIAH	137	3	2.19%	8	3	37.50%	57	0	0.00%	72	0	0.00%
WAWA	63	0	0.00%	4	0	0.00%	34	0	0.00%	25	0	0.00%
GROUP D TOTAL	200	3		12	3		91	0		97	0	
GROUP D AVERAGE	100	1.50	1.50%	6.00	1.50	25.00%	45.5	0	0.00%	48.5	0	0.00%
TOTAL OF ALL	17416	399		822	67		3423	75		13171	265	
AVERAGE OF ALL	1088.50	24.94	2.29%	51.38	4.19	8.15%	213.94	4.69	2.19%	823.19	16.56	2.01%

\*\*Ottawa and Cambridge "Consent Applied" and "Consent Hearings" includes minor variance applications

## MUNICIPALITIES WITH INCOMPLETE INFORMATION

CAMBRIDGE	1406	40	2.84%	**	12		382	13	3.40%	1024	27	2.64%
BELLEVILLE	449	9	2.00%	181	6	3.31%	**	1		268	2	0.75%
KINGSTON	0	17			9			5			3	
VAUGHAN	2249	102	4.54%	649	46	7.08%	1600	56	3.50%	**	12	
SARNIA	308	23	7.47%	45	11	24.44%	263	12	4.56%		5	
BRAMPTON	0	48			34			6			8	
WELLESLEY	134	0	0.00%	24	0	0.00%	**	3		110	0	0.00%
THURLOW	0	2			2			0			0	
MARATHON	82	0	0.00%	20	0	0.00%	**	0		62	0	0.00%
KENORA	0	5			4			1			0	
TOTAL	4628	246		919	124		2245	97		1464	57	

# PLANNING ACTIVITY

	1982-91 NEW DWELLINGS	1982-91 TTL # PLN. # APPLICNS	1982-91 NEW DWELL PER APPLIC.	1982-91 % OPA'S DENIED	1982-91 % OPA'S REFUSED	1982-91 AVG. SIZE OF SUBDIVISION	1982-91 CONSENT GRANTED	1982-91 LOTS BY SUBDIVISION	1982-91 CONSENTS ON SERV.	1982-91 CONSENTS OFF SERV.
MUNICIPALITIES										
OTTAWA	24032	5665	4.24	2.27%	1.14%	59.89	**	13654	**	**
WINDSOR	4883	1845	2.65	1.08%	2.15%		763	**	**	**
THUNDER BAY	5133	2239	2.29	3.33%	27.78%		**	**	**	**
CAMBRIDGE	8453	1406	6.01			54.49	828	5885	339	77
NORTH BAY	3840	731	5.25	15.79%	0.00%	43.48	587	2348	316	73
OWEN SOUND	1579	459	3.44	37.50%	0.00%	20.00	328	360	328	0
WOODSTOCK	2737	535	5.12	8.62%	0.00%	76.29	257	3128	257	0
BELLEVILLE	2472	449	5.51	25.97%	0.00%	29.10	250	1193	250	0
KINGSTON		0								
GROUP A TOTAL	53129	13329	34.51			283.25	3013	26568	1490	150
GROUP A AVERAGE	6641.13	1666.13	4.31	12.29%	5.14%	47.21	502.17	4428.00	298.00	30.00
NEPEAN	10367	589	17.60	3.70%	0.00%	11.01	212	1695	**	**
VAUGHAN	20044	2249	8.91				**	**	**	**
KINGSTON TWP	5683	569	9.99	15.58%	0.00%	67.70	258	3385	149	215
CALEDON	2998	1679	1.79	5.24%	0.44%	16.35	1037	1259		
SARNIA	3291	308	10.69	20.00%	11.11%		362	1376	199	168
BRAMPTON		0								
GROUP B TOTAL	42383	5394	48.97			95.06	1869	7715	348	383
GROUP B AVERAGE	8476.6	1078.80	9.79	8.99%	1.59%	31.69	467.25	1928.75	174	191.5
MOORE	419	298	1.41	0.00%	0.00%	102.11	219	919	**	**
WELLESLEY	523	134	3.90	0.00%	0.00%	39.00	108	234	13	95
KING	1260	689	1.83	50.00%	0.00%	9.94	225	308	25	200
LASALLE	1474	365	4.04	0.00%	0.00%	7.43	178	104	71	96
SYDENHAM	214	799	0.27	0.00%	0.00%	25.00	583	200	0	583
NORWICH	372	595	0.63	0.00%	0.00%	92.20	273	461	**	**
THURLOW		0								
GROUP C TOTAL	4262	2880	12.07			275.68	1586	2226	109	974
GROUP C AVERAGE	710.33	480.00	2.01	29.93%	0.00%	45.95	264.33	371	27.25	243.5
SHUNIAH	204	137	1.49	12.50%	12.50%	19.00	69	76	0	69
WAWA	86	63	1.37	0.00%	0.00%	48.00	25	144	16	9
MARATHON	657	82	8.01	0.00%	0.00%		60	**	60	0
KENORA		0								
GROUP D TOTAL	947	282	10.87			67.00	154	220	76	78
GROUP D AVERAGE	315.67	94	3.62	3.13%	3.13%	33.50	51.33	110	25.33	26
TOTAL OF ALL	100721	21885	106.42			720.98	6622	36729	2023	1585
AVERAGE OF ALL	4578.23	994.77	4.84	13.10%	3.21%	42.41	348.53	2040.50	144.50	113.21

\*\*Total # Planning Applications - Calculations for Cambridge, Belleville, Vaughan, Caledon, Sarnia, Wellesley and Marathon 2/3 complete.

\*\*Group Totals and Averages based only on Municipalities with available data



# COMPARISON OF GROUPS

	1982 POP	1991 POP	% POP CHANGE	1981 HSHLDS	1990 HSHLDS	% HSHLD CHANGE	1982-91 NEW DWELLINGS
MUNICIPALITIES							
OTTAWA	303144	308366	1.72%	128645	144810	12.57%	24032
WINDSOR	192546	190954	-0.83%	76485	78884	3.14%	4883
THUNDER BAY	111498	110289	-1.08%	41200	44872	8.91%	5133
CAMBRIDGE	76505	89953	17.58%	26684	32464	21.66%	8453
NORTH BAY	50567	54611	8.00%	17904	20928	16.89%	3840
OWEN SOUND	19624	20809	6.04%	7959	9023	13.37%	1579
WOODSTOCK	26096	29029	11.24%	9988	11946	19.60%	2737
BELLEVILLE	35351	35169	-0.51%	14060	16086	14.41%	2472
KINGSTON	60313	60930	1.02%	24318	27875	14.63%	
GROUP A TOTAL	875644	900110		347243	386888		53129
GROUP A AVERAGE	97293.78	100012.22	2.79%	38582.56	42987.56	11.42%	6641.13
NEPEAN	85737	105582	23.15%	27758	38023	36.98%	10367
VAUGHAN	36815	106460	189.18%	9802	29988	205.94%	20044
KINGSTON TWP	27484	37412	36.12%	8764	13511	54.16%	5683
CALEDON	26587	33538	26.14%	8496	11330	33.36%	2998
SARNIA	50233	72684	44.69%	20386	29475	44.58%	3291
BRAMPTON	154981	217892	40.59%	46662	71446	53.11%	
GROUP B TOTAL	381837	573568		121868	193773		42383
GROUP B AVERAGE	63639.5	95594.67	50.21%	20311.33	32295.5	59.00%	8476.6
MOORE	10097	10432	3.32%	3509	3738	6.53%	419
WELLESLEY	6669	8021	20.27%	1878	2364	25.88%	523
KING	15284	17444	14.13%	4828	5963	23.51%	1260
LASALLE	13655	16616	21.68%	4111	5222	27.03%	1474
SYDENHAM	2493	2890	15.92%	1023	1251	22.29%	214
NORWICH	9612	9991	3.94%	3186	3356	5.34%	372
THURLOW	6508	7267	11.66%	2106	2574	22.22%	
GROUP C TOTAL	64318	72661		20641	24468		4262
GROUP C AVERAGE	9188.29	10380.14	12.97%	2948.71	3495.43	18.54%	710.33
SHUNIAH	1762	2028	15.10%	1904	1990	4.52%	204
WAWA	4544	4139	-8.91%	1690	1756	3.91%	86
MARATHON	2252	4838	114.83%	814	1752	115.23%	657
KENORA	9595	9570	-0.26%	3823	4145	8.42%	
GROUP D TOTAL	18153	20575		8231	9643		947
GROUP D AVERAGE	4538.25	5143.75	13.34%	2057.75	2410.75	17.15%	315.67
TOTAL OF ALL	1339952	1566914		497983	614772		100721
AVERAGE OF ALL	51536.62	60265.92	16.94%	19153.19	23645.08	23.45%	4578.23
ONTARIO TOTAL	8598295	9624670	11.94%	3287992	3911341	18.96%	





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